

MAR 31 2009

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IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
HARRISONBURG DIVISION

|                           |   |                                 |
|---------------------------|---|---------------------------------|
| UNITED STATES OF AMERICA, | ) | Criminal Case No. 5:01cr30058-6 |
|                           | ) |                                 |
| v.                        | ) | By: Samuel G. Wilson            |
|                           | ) | United States District Judge    |
| JONATHAN JIMENEZ.         | ) |                                 |
|                           | ) | <u>2255 FINAL ORDER</u>         |

In accordance with the Memorandum Opinion entered this day, it is hereby **ORDERED** and **ADJUDGED** that Jimenez's § 2255 motion is **DENIED** and this action is **STRICKEN** from the active docket of the court.

Jiminez is advised that he may appeal the denial of his motion pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure by filing a notice of appeal with this court within 60 days of the date of entry of this Order, or within such extended period as the court may grant pursuant to Rule 4(a)(5).

The Clerk of the Court is directed to send a certified copy of this Order and the accompanying Memorandum Opinion to the petitioner.

**ENTER:** This March 31, 2009.

  
UNITED STATES DISTRICT JUDGE